

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

JOHN K. GOODROW,

Plaintiff,

v.

Civil Action No. 3:11cv20  
Consolidated Action

FRIEDMAN & MACFADYEN, P.A., *et al.*,

Defendants.

**ORDER**


This matter comes before the Court on Plaintiffs' Motion for Leave to File Supplemental Authority. (ECF No. 144.) Pursuant to Civil Rule 7(F)(1) of the Local Rules for the United States District Court for the Eastern District of Virginia, Plaintiffs seek leave to file supplemental authority "directly bearing on the issues presented in the Defendants' Motion to Dismiss and Plaintiffs' Opposition." (Pls.' Mot. Leave File Supp.'l Auth. 1.) Plaintiffs seek leave to file supplemental authority in the form of the United States Court of Appeals for the Sixth Circuit decision in *Wallace v. Midwest Mortg. & Fin. Servs. Inc.*, -- F.3d --, 2013 WL 1729587, at \*1 (6th Cir. Apr. 23, 2013). Defendants oppose Plaintiffs' Motion "on the grounds that the proposed authority . . . is unavailing to Plaintiffs' case and because this matter has already been abundantly briefed by the parties" and contend that "[t]o the extent the Court determines to consider the *Wallace* court's opinion, the case actually reinforces the propriety of granting the Defendants' Motion to Dismiss." (Defs.' Resp. Pls.' Mot. Leave File Supp.'l Auth. 1.) (ECF No. 145.)

Aside from the opening brief, the responsive brief, and the reply, “[n]o further briefs or written communications may be filed without obtaining leave of Court.” E.D. Va. Loc. Civ. R. 7(F)(1).

Upon due consideration, for good cause shown, and in the interest of justice, the Court GRANTS Plaintiffs’ Motion for Leave to File Supplemental Authority. (ECF No. 144.) Because the Defendants’ response to Plaintiffs’ motion also included a response to the *Wallace* decision itself, the Court will deny any request from Defendants to further distinguish the *Wallace* decision. The Court refuses further briefing. The Court will give the *Wallace* decision the appropriate weight in light of the facts of this case and the briefing and arguments previously submitted by the parties.

Let the Clerk send a copy of this Order to all counsel of record.

It is so ORDERED.

\_\_\_\_\_/s/   
M. Hannah Lauck  
United States Magistrate Judge

Richmond, Virginia  
Date: 5-1-2013